

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA**

**RODNEY D. DUCKWORTH,**

**Plaintiff,**

**V.**

**SHERIFF JEFF FULLER, et al.,**

## Defendants.

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**Civil Action No. 3:05-cv-0727-MHT-DRB**

## **DEFENDANTS' MOTION FOR EXTENSION OF TIME**

COME NOW the Jeff Fuller, Sheriff of Randolph County, Alabama, Shirley Johnson, Jail Administrator for the Randolph County Jail, Craig Davidson, Defendants in the above-styled cause and move this Honorable Court for an extension of time of 30 days in which to file their Special Report and Answer which was due on September 14, 2005. As grounds for said motion, Defendants state as follows:

1. Counsel for the Defendants just received notice of this matter, along with a copy of the Complaint and Order for Special Report today.
2. On August 5, 2005, this Court entered an Order directing the Defendants to file a Special Report in the above-styled cause on or before September 14, 2005.
3. Counsel for Defendants has yet to meet with all the Defendants for the purpose of ascertaining the facts of the case and obtaining the documents located at the Randolph County Sheriff's Department relevant to Plaintiff's allegations. In addition, it may be necessary to obtain additional documents relating to the Plaintiff's incarceration made the basis of his Complaint.

4. Defendants are in need of this additional time to fully respond to the Plaintiff's allegations.

5. Defendants have not previously requested an extension of time in this case.

6. Plaintiff will not be prejudiced by the requested extension.

WHEREFORE, PREMISES CONSIDERED Defendants respectfully request this Honorable Court grant their Motion for Extension of Time to file their Special Report and Answer up to and including October 14, 2005.

Respectfully submitted this 21st day of September, 2005.

**s/C. Richard Hill, Jr.**

C. RICHARD HILL, JR. Bar No. HIL045

Attorney for Defendants

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**CERTIFICATE OF SERVICE**

I hereby certify that on this the 21st day of Sept, 2005, I have served the foregoing document on the following:

Rodney D. Duckworth  
Randolph County Jail  
P.O. Box 347  
Wedowee, AL 36278

by placing a true and correct copy of the foregoing in the U.S. Mail, postage prepaid, on this the 21st day of September, 2005.

**s/C. Richard Hill, Jr.**  
OF COUNSEL